



STATE OF WASHINGTON
APPLICATION TO ENTER A WATER RIGHT INTO
THE TRUST WATER RIGHT PROGRAM

RECEIVED
MAR 23 2011
DEPARTMENT OF ECOLOGY - CENTRAL REGIONAL OFFICE

NOTE: THIS FORM IS ONLY TO BE USED FOR THE
ACQUISITION OF WATER INTO THE TRUST WATER RIGHT PROGRAM

(Check all that apply.)

- ☐ Lease
☐ Purchase
☒ Donation
☐ Other

Explain: _____

☐ Portion of the identified existing water right

IF FOR SEASONAL OR TEMPORARY, START DATE ____/____/____
END DATE ____/____/____

FOR OFFICE USE ONLY	
FILE No. <u>CS4-29870P</u>	WRIA <u>49</u>
DATE ACCEPTED <u>03/28/2011</u>	BY <u>[Signature]</u>
FEE \$ <u>6</u>	REC'D <u>03/23/2011</u>
CHECK No. <u>6</u>	
SEPA: <input type="checkbox"/> Exempt <input type="checkbox"/> Not exempt	

****IF MORE SPACE IS NEEDED, ATTACH ADDITIONAL SHEETS (PLEASE PRINT OR TYPE CLEARLY)****

1. Applicant Information:

APPLICANT/BUSINESS NAME Gebbers Farms, Inc.	PHONE NO. (509) 689-3424	FAX NO. (509) 449-0101
ADDRESS P.O. Box 735		
CITY Brewster	STATE Washington	ZIP CODE 98812
CONTACT NAME (IF DIFFERENT FROM ABOVE) W. Scott DeTro	PHONE NO. (509) 826-6316	FAX NO. (509) 826-4704
ADDRESS Callaway & DeTro PLLC, 700-A Okoma Drive		
CITY Omak	STATE Washington	ZIP CODE 98841

2. Water Right Information:

WATER RIGHT OR CLAIM NUMBER S4-29870P	RECORDED NAME(S) Gebbers Farms, Inc.
DO YOU OWN THE RIGHT? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF NO, PROVIDE OWNER(S) NAME and ADDRESS:	
HAS THE WATER BEEN PUT TO BENEFICIAL USE IN THE LAST FIVE (5) YEARS? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO ARE WATER DIVERSIONS/WITHDRAWALS OF THIS WATER RIGHT METERED OR MEASURED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	
IMPORTANT! PROVIDE INFORMATION SHOWING THE EXTENT OF WATER USE FOR EACH OF THE LAST FIVE YEARS	

Please attach copies of any documentation that demonstrates consistent, historical use of water since the right was established. Also, if you have a water system plan or conservation plan, please include a copy with your application.

FOR OFFICE USE ONLY	
WATER RIGHT NO. _____	FILE (contract) NO. _____
<u>CS4-29870P</u>	

3. How is Water to be Made Available for Trust?

<input type="checkbox"/> Alteration in method of diversion	<input type="checkbox"/> Alteration in water use/ irrigated acreage
<input type="checkbox"/> Alteration in method of delivery/conveyance	<input type="checkbox"/> Nonuse of one or more points of diversion
<input type="checkbox"/> Alteration in method of water application	<input checked="" type="checkbox"/> Nonuse of all or a portion of the named water right
<input type="checkbox"/> Alteration in type of crop	<input type="checkbox"/> Other, Explain below:
Name of funding source(s): None	

WATER RIGHT DESCRIPTION

4. Point(s) of Diversion/Withdrawal:

A. Existing

SOURCE	NO.	¼	¼	SEC.	TWP.	RGE.	PARCEL #	WELL TAG #
Columbia River	12			12	30	24	3024120029	

Please include copies of all water well reports involved with this proposal. Also, if you know the distances from the nearest section corner to the above point(s) of diversion/withdrawal, please include that information in Item No. 6 (remarks) or as an attachment.

5. Purpose of Use:

A. Existing Use of the Water Right

PURPOSE OF USE	GPM or CFS	ACRE-FT/YR	PERIOD OF USE
Irrigation	3.78 cfs	800	April 1 – October 31

B. Proposed Purpose of the Trust Water Right:

DESCRIBE THE PURPOSE(S) OF USE DURING THE PERIOD OF TRUST:	
PURPOSE OF USE	ACRE-FEET/YR
In-stream flow	490.91

6. Place of Use:

A. Existing:

LEGAL DESCRIPTION OF LANDS WHERE WATER IS PRESENTLY USED:							
See legal description attached to Exhibit A						PARCEL #	3024111001;
							3024111003; 3024112004;
							3024110036; 3024124008;
¼	¼	SEC.	TWP.	RGE.	COUNTY		# OF ACRES
		11, 12	30	24	Okanogan	3024124005; and 0150210023	269
DO YOU OWN ALL THE LANDS IN THE EXISTING PLACE OF USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO – IF NO, PROVIDE OWNER(S) NAME:							

B. Proposed:

IDENTIFY THE WATER BODY TO BE BENEFITED OR OTHER PLACE TO BE BENEFITED
The Columbia River from a point located 2,200 feet south and 350 feet west from the center of Section 12, downstream to the terminus of the reach.

If additional space is needed, please continue on the form: Attachment for Application to Enter a Water Right into the Trust Water Right Program.

7. Remarks and Other Relevant Information:

Gebbers Farms, Inc. is requesting a transfer (change) of a portion of this irrigation water right to in-stream use. This change application seeks to effectuate a transfer of 490.91 acre feet per year of the water right to be used exclusively for in-stream flows and enhancement and maintenance of fisheries as allowed under RCW 90.03, 90.42 and 90.54. Water use changes associated with this application will provide environmental benefits associated with increase in in-stream flows on the Columbia River.

Gebbers Farms, Inc. has applied to place a portion of the water associated with Permit No. S4-29870P into the Trust Water Rights Program. The Historical Water Use Summary attached as Exhibit D lists the crop net consumptive use for the years of 2003 – 2007. The average net consumptive use for the apple crops for the two highest years (2003 and 2006) equals 309.09 afy CU. If you deduct the CU of 309.09 from the Qa of 800 afy, it equals 490.91 afy, which is the amount sought by Gebbers Farms, Inc. to be placed in the Trust Water Rights Program. The amount of 490.91 afy has been used to irrigate pasture and grow seasonal crops on the Gebbers Farms, Inc. properties. Existing irrigation for the apple crops (99.6 acres) will continue as it has been historically irrigated.

List of Exhibits

Exhibit A – Surface Water Permit

Exhibit B – Proof of Appropriation of Water with attached exhibits;

Exhibit C – December 2, 2005 letter from Ecology acknowledging receipt of Proof of Appropriation form;

Exhibit D – Historical Water Use Summary Report with included photographs and aerials showing beneficial use; and

Exhibit E – Photographs taken of site showing irrigation, construction and crops.

Certain applications may incur a Real Estate Excise Tax liability for the seller of the water rights. The Department of Revenue has requested notification of potential taxable water right related actions and therefore may be provided with a copy of this request.

Please contact the State Department of Revenue for further information. The phone number is (360) 570-3265. The address is: Department of Revenue, Real Estate Excise Tax, PO Box 47477, Olympia, WA 98504-7477.

8. Signatures:

I certify that the information above is true and accurate to the best of my knowledge. I hereby grant staff from the Department of Ecology access to the above site(s) for inspection and monitoring purposes. If assisted in the preparation of the above application, I understand that all responsibility for the accuracy of the information rests with me.

Gebbers Farms, Inc.

By 
(Applicant)

3 / 20 / 2011
(Date)

Gebbers Farms, Inc.

By 
(Water Right Holder)

3 / 20 / 2011
(Date)

Gebbers Farms, Inc.

By 
(Land Owner(s) of Existing Place of Use)

3 / 20 / 2011
(Date)

IMPORTANT! APPLICATION FILING INFORMATION IS PROVIDED ON THE NEXT PAGE.

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

☐ ADDITIONAL SIGNATURES REQUIRED ☐ SECTION _____ IS INCOMPLETE

☐ OTHER/EXPLANATION: _____

STAFF: _____ DATE: ____/____/____